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LATHAM & WATKINS LLP

January 8, 2008

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VIA HAND DELIVERY**REMO ENDORSED**

Hon. Gerard E. Lynch
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 910
New York, New York 10007

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File No. 024149-0125

Re: Kirschner v. Grant Thornton LLP et al., No. 07 Civ. 11604 (GEL)

Dear Judge Lynch:

We represent defendant Ernst & Young LLP ("EY") in the above-referenced action which was recently transferred to this Court from the Northern District of Illinois pursuant to a December 28, 2007 Order by the United States Judicial Panel on Multidistrict Litigation (the "MDL Panel") in MDL # 1902.

Before the transfer of this action, EY filed a Motion To Stay Proceedings As To EY Pending Mediation And, If Necessary, Arbitration on October 9, 2007. Before briefing was completed, District Court Judge James F. Holderman issued an order on November 16, 2007 that EY's Motion and all other matters before him would remain under advisement pending the outcome of the MDL Panel's determination.

Now that this action has been transferred to this Court, EY seeks, by this letter, to renew its Motion and set a briefing schedule. Subject to this Court's approval, EY and Plaintiff have agreed that Plaintiff will file his Opposition no later than January 11, 2008, and EY will file its Reply no later than February 8, 2008. EY respectfully requests that if this proposed schedule meets with your Honor's approval, that same be memorandum endorsed.

Please feel free to contact me at (212) 906-1880 if you should have any questions.

Respectfully submitted,

Christopher Harris
of LATHAM & WATKINS LLP

cc: All Counsel Of Record (without enclosures)

SO ORDERED

GERARD E. LYNCH, U.S.D.J.

1/9/08